

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

WAYNE CHARLES HOGG

VS.

CIVIL ACTION NO. 1:13cv473 KS-MTP

TRAVIS BREWER

ORDER

This cause is before the Court on Report and Recommendation of Magistrate Judge Michael T. Parker, who reviewed this case *sua sponte* on the basis of Plaintiff's failure to prosecute this matter and to comply with the Court's Order [81]. Plaintiff filed an Objection to the Report and Recommendation [83] in which he requests that the case not be dismissed. This Court notes that the Show Cause Order was entered on November 22, 2013, and has not been responded to. The Plaintiff reiterates his request for appointment of legal counsel but the Court notes that this Motion was previously denied on June 28, 2011 [22].

This Court must ensure that its docket flows smoothly and the Court finds that the objection to the Report and Recommendation does not address the facts set forth in the Report and Recommendation, and the objection should be denied.

The Court finds that the Report and Recommendation which was filed January 8, 2015, should be and the same is hereby adopted as the finding of this Court and the Complaint is hereby dismissed without prejudice. A separate Judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this the 12<sup>th</sup> day of February, 2015.

*s/ Keith Starrett*  
UNITED STATES DISTRICT JUDGE